IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7885 of 2005

Between:

St. Thomas Educational Society, Tiruvur Village and Mandal,

Krishna District, Rep. by its Secretary and Correspondent,

C.D. Prabhakar Rao, S/o Isaiah, aged 52 Years.

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

Rep. by its Principal Secretary to Government,
School Education (training -A1) Department, at Secretariat,

Hyderabad.
2 Nagarjuna University, Vijayawada, Rep. through its Registrar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, order or Direction, declaring the action of the 2nd Respondent in keeping pending the application of the petitioner for grant of affiliation to the college established by them to start B. Ed Course, on the ground that the Petitioner do not have permission from the State Government, as illegal and arbitrary and consequently direct the 2nd respondent to forthwith grant affiliation to the college established by petitioner, for the year 2004-2005 as per Section 14(6) of NCTE Act, without insisting for grant of permission from the State Government; Award costs and pass such or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.N.SRIDHAR REDDY

Counsel for Respondent No.1: GP FOR SCHOOL EDUCATION
Counsel for Respondent No.2: SRI. T.S.HARNATH

The Court at the admission stage made the following :

ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the application made by the petitioner for grant of affiliation to the college established by it to start B.Ed., courses.

Petitioner states that on the basis of the No-Objection Certificate granted by the State Government and the recognition granted by the National Council for Teachers Education, it made an application on 30.03.2005 requesting the second respondent-Nagarjuna University, Vijayawa, to grant affiliation to the college established by the petitioner-society to start B.Ed., courses. It is alleged that the second respondent has not considered the said application so far. Hence this writ petition.

On behalf of the second respondent-University, a counter-affidavit has been filed stating that the university has not received the said application from the petitioner said to have been made on 30.03.2005.

When the matter is taken up for consideration, learned counsel for the petitioner stated that though the date of application made by the petitioner has been wrongly mentioned in the affidavit as 30.03.2005, as a matter of fact, the petitioner made the said application on 21.03.2005. He has also placed a copy of the said application dated 21.03.2005, before this Court, which shows that the said application was received in the office of the second respondent-University on 21.03.2005.

In the circumstances, without expressing any opinion as to the entitlement of the petitioner for grant of affiliation as sought by it, the writ petition is disposed of with a direction to the second respondent to consider the application of the petitioner dated 21.03.2005 for grant of affiliation and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of one week from the date of receipt of this order. No costs.

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20.04.2005

Note : Furnish C.C. by tomorrow.

(B/O)

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To

1 The Principal Secretary to Government ,

Government of Andhra Pradesh,

School Education (training -A1) Department, at Secretariat,

Hyderabad.

2 The Registrar, Nagarjuna University, Vijayawada.

3 Two CCs to the G.P for School Education, High Court of A.P.,

Hyderabad(O.U.T).

4 2 CD copies